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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of : Docket No.: 6192.0344.D1
Gary A. FREEMAN, et al. : Group Art Unit: 3764
Serial No.: 09/689,305 : Examiner: Glenn E. RICHMAN

Confirmation No. 2681

Filed: October 12, 2000

For: **WEARABLE DEVICE**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Sir:

In reply to the March 31, 2005, Restriction Requirement, Applicants provisionally elect Species I: the specifics being drawn to an article of clothing, classified in class 40, subclass 329; Claims 1-12, with traverse.

It is also respectfully submitted that the subject matter of all claims is sufficiently related that a thorough search for the subject matter of any one Group of claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP § 803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions." It is respectfully submitted that this

policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

It is not believed that any extensions of time or fees are required. If extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned for under 37 C.F.R. §1.136(a) and are hereby authorized to be charged to our Deposit Account No. 23-1951.

Respectfully submitted,



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Dated: April 22, 2005

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